

Article - Environment

[\[Previous\]](#)[\[Next\]](#)

§15–802.

(a) The General Assembly finds and declares that:

(1) The extraction of minerals by mining is a basic and essential activity making an important contribution to the economic well-being of the State and the nation and that this activity must be balanced against potential health, safety, and environmental effects;

(2) All reasonable steps should be taken:

(i) To protect these resources from encroachment by other land uses that would make these resources unavailable for future use; and

(ii) To balance this activity against other possible land uses, including consideration of uses for surrounding properties;

(3) Although it is not practical to extract minerals required by our society without disturbing the surface of the earth and producing waste materials and the very character of certain surface mining operations precludes complete restoration of the land to its original condition, it is possible to conduct mining in a way to minimize its effects on the surrounding environment;

(4) Proper reclamation of mined land is necessary to prevent undesirable land and water conditions that would be detrimental to the general welfare, health, safety, beauty, and property rights of the citizens of the State;

(5) There are certain circumstances in which surface mining is not desirable, as when the operation will have an unduly adverse effect on wildlife or freshwater, estuarine, or marine fisheries; and

(6) The conduct of mining and reclamation of mined lands as provided by this subtitle will allow the mining of valuable minerals and provide for the protection of the State's environment and the subsequent beneficial use of the mined and reclaimed land.

(b) This subtitle is an exercise of the police powers of the State for the general welfare of the people of the State, by providing for the protection and conservation of the natural resources of the State and the reclamation of areas of land affected in the surface mining of metallic and nonmetallic minerals other than coal,

to aid in the protection of birds and wildlife, to decrease soil erosion, to prevent pollution of rivers, streams, and lakes, to prevent loss or waste of valuable mineral resources, to prevent and eliminate hazards to health and safety, to provide for reclamation of mined areas so as to assure the use of these lands for productive purposes, and generally to provide for the continued use and enjoyment of these lands.

[\[Previous\]](#)[\[Next\]](#)